

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

<p>Zoya Code,</p> <p style="text-align: center;">Plaintiff,</p> <p>v.</p> <p>Derek Chauvin, acting in his individual capacity as a Minneapolis Police Officer; Ross Blair, acting in his individual capacity as a Minneapolis Police Officer; and the City of Minneapolis,</p> <p style="text-align: center;">Defendants.</p>	<p style="text-align: right;">Court File No. 22-cv-01438-PJS-DJF</p> <p style="text-align: center;">STIPULATION TO VACATE ENTRY OF DEFAULT AGAINST DEFENDANT DEREK CHAUVIN AND ORDER AUTHORIZING DEFENDANT DEREK CHAUVIN TO ANSWER THE COMPLAINT</p>
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The parties hereto, by and through their undersigned counsel, stipulate as follows:

WHEREAS, Defendant Derek Chauvin (“Chauvin”) is a defendant in the above captioned action;

WHEREAS, Defendant Derek Chauvin was convicted in two criminal proceedings in 2021 and 2022 in state and federal court prior to the commencement of this case. *State v. Chauvin*, 27-CR-20-12646; *U.S.A. v. Chauvin*, 21-CR-108 PAM/TNL;

WHEREAS, as a result of the convictions, Chauvin was sentenced to prison and began serving his sentence on April 21, 2021 in Oak Park Heights Prison and has been incarcerated since that date;

WHEREAS, as a result of his incarceration, Chauvin was unable to secure counsel to represent him in this proceeding;

WHEREAS, Chauvin was properly served with the Summons and Complaint in the above captioned action [ECF No. 1];

WHEREAS, Chauvin failed timely file an Answer to the Complaint;

WHEREAS, the Court entered default against Chauvin on August 15, 2022 [ECF No. 17];

WHEREAS, after August 15, 2022, Chauvin retained the undersigned counsel to represent him in this case;

WHEREAS, Chauvin's counsel requested that the parties in this case stipulate to the Court entering an Order vacating the default and ordering Chauvin to Answer the Complaint;

WHEREAS, counsel in the case agreed to enter into this Stipulation;

WHEREFORE, the parties, through the undersigned counsel of record, hereby stipulate and agree that the Court may enter the following Order:

1. That the default in this case entered on August 15, 2022 [ECF No. 17] against Chauvin may be vacated in its entirety;
2. Chauvin shall file an Answer to the Complaint [ECF No. 1] no later than 21 days after the Court enters an Order vacating the default .

Dated: September 23, 2022.

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